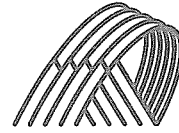


EAST KENTUCKY NETWORK
POST OFFICE BOX 405
PRESTONSBURG, KY 41653
PHONE: (606)886-6007
FAX: (606)886-0206
EMAIL: INFO@EKN.COM
WEBSITE: EKN.COM

EAST KENTUCKY
NETWORK



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SEP 09 2004

PUBLIC SERVICE
COMMISSION

September 8, 2004

Beth O'Donnell, Executive Director
ATTN: Brenda Talley
Public Service Commission
P. O. Box 615
Frankfort, KY 40602

RE: VORTEX TOWER (CASE NO. 2003-00415)

As requested in your letter dated September 1, please find enclosed the Federal Aviation Administration determinations for our new tower at Vortex, Kentucky. As I understand from your reminder letter, the enclosed final decisions regarding the FAA and KAZC applications are all that is necessary to complete the filing requirements of the Vortex Tower. (Case No. 2003-00415)

You may contact me at my office at 606-886-6007, Ext. 166 or by email at jrobinson@ekn.com if you need any further information concerning this filing.

Thank you,

Janice Robinson
Accounting Department

Enclosure



Federal Aviation Administration
Southern Regional Office
1701 Columbia Avenue-ASO-520
College Park, GA 30337

Aeronautical Study No.
2003-ASO-5568-OE

Issued Date: 10/31/2003

C/O LEROY A. ADAM /LUKAS,NACE,GUTIERREZ & SACHS
EAST KENTUCKY NETWORK, LLC
1111 19TH STREET, N.W., STE 1200
WASHINGTON, DC 20036

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Antenna Tower
Location: VORTEX, KY
Latitude: 37-43-0.28 NAD 83
Longitude: 83-32-5.67
Heights: 325 feet above ground level (AGL)
1555 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 AC 70/7460-1K Change 1, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

____ At least 10 days prior to start of construction
(7460-2, Part I)

X Within 5 days after the construction reaches its greatest height
(7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination expires on 4/30/2005 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404)305-5579. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2003-ASO-5568-OE.

Signature Control No: 360059-227263

(DNE)

Earl P. Newalu Jr.
Specialist

Attachment(s)
Case Description
Frequency Data

7460-2 Attached

PROPOSED

Frequency Data for ASN 2003-ASO-5568-OE

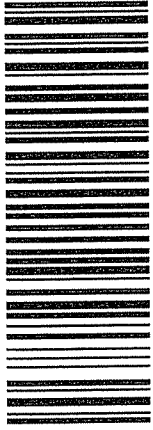
LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
880	890	MHz	.2	KW

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS FOLD A DOTTED LINE

CERTIFIED MAIL



PO BOX 405, PRESTONSBURG, KY 41653



7004 1350 0001 2546 1558

★ ★ ★
★ ★ ★
★ ★ ★
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Beth O'Donnell, Executive Director
ATTN: Brenda Talley
Public Service Commission
P. O. Box 615
Frankfort, KY 40602

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40602+0513 07

